AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings includes three new Figures 59-61.

Attachment: 3 new drawing sheets

REMARKS

This reply is submitted in response to the Office Action dated October 20, 2005. The amendments above and the remarks that follow address the points raised in the Office Action and, thereby to place this application in condition for allowance.

Drawings

The Examiner has requested new corrected drawings on grounds that Figures 1-58 allegedly do not show the features recited in the claims. Applicants respectfully disagree.

For example, FIG. 36 depicts "an embodiment of a system 100 of the invention that converts a textual description in a mark-up language of a process, e.g., a state machine, to an object graph, and preferably stores the object graph in an object repository, e.g., an object database" (see specification, page 72, lines 3-6). The description of FIG. 36 is found in the specification from page 72, line 3 to page 76, line 4.

However, to further prosecution, Applicants has added FIGURES 59-61, which parallel the claims as originally filed. No new matter is added.

Priority

The Examiner contends that the application is not entitled to the benefit of the provisional patent applications. The Applicants respectfully disagree. This issue was raised in an Office Action dated November 28, 2003 and addressed by the Applicant in a response dated April 28, 2004, as follows:

Priority Claim

The Examiner contends, in ¶ 2 of the Office Action, that application is not entitled to the benefit of priority of the cited provisional applications. The Applicant respectfully disagrees.

Contrary to the assertion in ¶ 2 of the Office Action, the standard for entitlement is whether the present application is for an invention which is disclosed in the provisional in the manner required under 35 USC 112, ¶ 1 — namely, by way of a written description in such clear, concise and exact terms as to enable persons of ordinary skill in the art to make and use the invention (and the best mode for practicing the same). Regardless of whether the terms claimed in the present application are used *per se* in the cited provisional applications (the standard mistakenly recited in ¶ 2 of the Office Action), those provisionals clearly describe the invention of the present application in the manner required by 35 USC 112, ¶ 1. A change in terminology, if any, is immaterial.

The Examiner raised no objection to Applicants' explanation at that time, nor is one believed appropriate now. Insofar as priority is not raised in the arguments below, this issue is not ripe for further discussion at this time.

Double Patenting Rejection

Claims 1-11, 24-28, 32-38, and 40 are provisionally rejected as being unpatentable over claims 1-26 of co-pending U.S. Patent Application No. 09/823,938. Applicant respectfully disagrees with this rejection. The claims of 09/823,938 are allowed in a Notice of Allowance mailed August 2, 2005, and include features such as message fragments and a message handling object, features not found in the pending claims of the application.

The table below presents for side-by-side comparison the independent claims of the current application and the independent claims of 09/823,938, as allowed. Even cursory comparison reveals little similarity between their respective subject matters:

Independent claims from the pending application	Allowed independent claims from 09/823,938
1. A method for providing telecommunications services, the method comprising the steps of: generating a compiled representation of a textual description in a mark-up language of	1. A processing module for use in a telecommunications system where the processing module is in communication with a telecommunications switch or other external communication device (collectively, "external

Independent claims from the pending application	Allowed independent claims from 09/823,938
operations for performing a call feature or service; instantiating a feature object embodying the compiled representation; instantiating a context object that maintains information regarding a present state of the call feature or service, and that signals the feature object in regard to events occuring with respect to the call feature or service, and the feature object responding to said signalling by effecting execution of one or more of the operations in the compiled representation of the textual description in the mark-up language.	device"), said processing module comprising: a message handling object that receives message fragments from said external device and that (i) discerns call control events from those message fragments and (ii) forms messages from those message fragments, where at least one of those messages is formed from a plurality of message fragments, and a dispatcher in communication with said message handling object, said dispatcher identifying selected processes for processing the call control events discerned by the message handling object and invoking those processes with messages in connection with which those call control events were discerned, the invoked processes executing tasks in order to process the respective call control events and, in connection therewith, providing communication services identified by the respective messages in connection with which those call control events were discerned and with which those processes were invoked, where one or more of the selected processes comprise context objects instantiated in response to call control events discerned by the message handling object.
24. A method for providing telecommunications services, comprising the steps of: providing a textual description in a mark-up language of a set of logic instructions describing a call service; parsing the textual description to generate a compiled representation of the logic	13. In a telecommunications system, a processing module in communication with telecommunications switch or other external communication device (collectively, "external device"), said processing module comprising one or more message handling objects that receive message fragments from one or more external devices, said message handling objects assembling said message fragments to discern one or more events

Independent claims from the pending application	Allowed independent claims from 09/823,938
instructions; instantiating a feature object embodying the compiled representation; instantiating a context object in response to an event, the context object maintaining information regarding a present state of the call service, the context object signalling the feature object to access the compiled representation and to effect execution of the call service defined by the logic instructions.	and to form one or more messages such that each message is associated with at least one of the events and such that at least one of those messages is formed from a plurality of message fragments, and a dispatcher in communication with said message handling objects, said dispatcher identifying selected processes for processing the events discerned by the message handling object and invoking at least one process that dynamically binds to a processing context defining an action to be executed in response to at least one of said events for providing a communication service identified by the message associated with said event the invoked process executing tasks in order to process the respective events and, in connection therewith, providing communication services identified by the respective messages in connection with which that event was discerned, where one or more of the selected processes comprise context objects instantiated in response to discerned by the message handling object.
32. A telecommunications system, comprising: a call control module that controls a call processing context associated with a subscriber; and a call feature module in communication with the call control module, the call feature module accessing a compiled representation of textual description in a mark-up language of logic defining a call service provided to a subscriber in response to an event to effect	16. A method for communicating with an a telecommunications switch or other external communication device (collectively, "external device"), the method comprising the steps of receiving a plurality of message fragments from the external device, discerning an event and forming a message associated with said event from selected ones of said received message fragments, where at least one of those messages is formed from a plurality of message fragments, identifying selected processes for processing

Independent claims from the pending application	Allowed independent claims from 09/823,938
execution of the service; wherein the call feature module instantiates a feature context object that accesses the compiled representation to determine at least an action to be effected for providing the call service.	the events discerned by the message handling object, and invoking those processes with message in connection with which those events were discerned, wherein said selected processes execute tasks in order to process the respective events and, in connection therewith, provide a communication service identified by said message, and instantiating context objects within one or more of the selected processes in response to at least selected events.

In view of the foregoing, the pending claims of the instant application cannot reasonably be viewed as obvious over those of 09/823,938. The Applicants, accordingly, request that the provisional double patenting rejection be withdrawn.

Rebuttal to the Examiner's Response to Arguments

Applicants respectfully disagree with the Examiner's assertion that they mischaracterized the Examiner Interview that occurred on June 29, 2004. The Applicants filed a Response including an Interview Summary on the very day of that Interview. The Examiner did not disagree with the interview summary at the time or in any of subsequent communications. If the Examiner did not agree with Applicant's summary, the Examiner should have pointed out the inaccuracies in the next Office letter (see M.P.E.P §713.04, page 700-210 of the M.P.E.P.). As evidenced by the Examiner's own action prior to October 20, 2005, Applicants stand behind the initial summary as an accurate statement of the substance of the interview.

It is possible that the interview to which the Examiner refers is the telephone discussion on March 11, 2005 summarized in the Office Action dated March 18, 2005. If this is the interview to which the Examiner refers, the Examiner is correct that this telephone call only addressed the latest submitted amended claims, but this is not the interview to which the Applicants refer with respect to the Dodrill reference.

Objections to the Claims

Claims 1-7, 24, and 32 stand rejected because of a number of informalities. Claims 1, 24, and 32 are amended to correct punctuation errors. Further, claims 1-7 are amended to correct the informalities listed on page 20 of the Office Action.

Claims 1-11 and 24-28 are patentable over the Prior Art

A patentee is entitled to a patent unless the invention is anticipated or obvious in view of the prior art (35 U.S.C. §102). The Examiner is required to cite references supporting a rejection of claims, and must point the Applicants to the relevant portions of those references.

In this regard, Rule 104(c)(2) states:

> In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

37 C.F.R.§1.104(c)(2).

The Examiner has cited Eastep as the principle reference in rejection of claims 1-11 and 24-28. However, in each instance, the Examiner has failed to meet his obligation under Rule 104 to point out particular parts of the Eastep reference pertinent to the claimed invention.

Rather, the Examiner points to portions of Eastep's *Brief Description* and *Table of Contents*, neither of which contain substantive disclosure — much less, disclosure suggesting the claimed invention.

For example, pending claim 1, first paragraph, recites "generating a compiled representation of a textual description in a mark-up language of operations for performing a call

feature or service." The first paragraph of claim 24, similarly recites "providing a textual description in a mark-up language of a set of logic instructions describing a call service."

The Examiner contends that this recitation (of claims 1 and 24) is taught by the following passage of Eastep:

logical system components in accordance with a preferred embodiment;

FIGS. 5–9 are process flowcharts illustrating the detailed operation of the components illustrated in FIG. 4 in accordance with a preferred embodiment;

FIG. 10A illustrates a Public Switched Telephone Network (PSTN) 1000 comprising a Local Exchange Carrier (LEC) 1020 through which a calling party uses a telephone 1021 or computer 1030 to gain access to a switched network in accordance with a preferred embodiment;

FIG. 10B illustrates an internet routing network in accordance with a preferred embodiment;

FIG. 11 illustrates a VNET Personal Computer (PC) to PC Information call flow in accordance with a preferred embodiment;

FIGS. 12A and 12B illustrate a VNET Personal Computer (PC) to out-of-network PC Information call flow in accordance with a preferred embodiment;

FIG. 13 illustrates a VNET Personal Computer (PC) to out-of-network Phone Information call flow in accordance with a preferred embodiment;

FIG. 14 illustrates a VNET Personal Computer (PC) to in-network Phone Information call flow in accordance with a preferred embodiment;

FIG. 15 illustrates a Personal Computer to personal computer internet telephony call in accordance with a preferred embodiment;

FIG. 16 illustrates a phone call that is routed from a PC through the Internet to a phone in accordance with a preferred embodiment;

FIG. 17 illustrates a phone to PC call in accordance with a preferred embodiment;

FIG. 18 illustrates a phone to phone call over the internet in accordance with preferred embodiment;

FIGS. 19A and 19B illustrates an Intelligent Network in accordance with a preferred embodiment;

FIG. 19C illustrates a Video-Conferencing Architecture in accordance with preferred embodiment;

FIG. 19D illustrates a Video Store and Forward Architecture in accordance with a preferred embodiment;

FIG. 19E illustrates an architecture for transmitting video telephony over the Internet in accordance with a preferred embodiment;

FIG. 19F is a block diagram of an internet telephony system in accordance with a preferred embodiment;

FIG. 19G is a block diagram of a prioritizing access/router in accordance with a preferred embodiment;

FIG. 20 is a high level block diagram of a networking system in accordance with a preferred embodiment;

FIG. 21 is a functional block diagram of a portion of the system shown in FIG. 20 in accordance with a preferred embodiment;

FIG. 22 is another high level block diagram in accordance with a preferred embodiment of FIG. 21;

FIG. 23 is a block diagram of a switchless network system in accordance with a preferred embodiment;

FIG. 24 is a hierarchy diagram illustrating a portion of the systems shown in FIGS. 20 and 23 in accordance with a preferred embodiment;

Column 3, lines 4-64 of Eastep.

However, the above-quoted passage, a section of Eastep's *Brief Description* describing FIGS. 5-24, provides not substantive disclosure — and certainly none of particular relevance to the cited recitation of claims 1 and 24. For example, the passage makes no mention of "a compiled representation" nor "a textual description" nor "a mark-up language" nor "call feature or service" — much less of the specifically recited feature of the claims.

Further, claim 1, second paragraph, recites "instantiating a feature object embodying the compiled representation." The second and third paragraphs of claim 24 recite "parsing the textual description to generate a compiled representation of the logic instructions" and "instantiating a feature object embodying the compiled representation." The Examiner contends that this recitation (from claims 1 and 24) is taught by the following passage from Eastep:

FIG. 92 is a control flow diagram illustrating the Network Call Identifier (NCID) switch call processing in accordance with a preferred embodiment;

FIG. 93 is a control flow diagram illustrating the processing of a received Network Call Identifier in accordance with a preferred embodiment;

FIG. 94(A) is a control flow diagram illustrating the generation of a Network Call Identifier in accordance with a preferred embodiment;

FIG. 94(B) is a control flow diagram illustrating the addition of a Network Call Identifier to a call record in accordance with a preferred embodiment;

FIG. 95 is a control flow diagram illustrating the transport of a call in accordance with a preferred embodiment;

FIG. 96 shows a hardware component embodiment for allowing a video operator to participate in a video conferencing platform, providing services including but not limited to monitoring, viewing and recording any video conference call and assisting the video conference callers in accordance with a preferred embodiment;

FIG. 97 shows a system for enabling a video operator to manage video conference calls which includes a video operator console system in accordance with a preferred embodiment;

FIG. 98 shows a system for enabling a video operator to manage video conference calls which includes a video operator console system in accordance with a preferred embodiment;

FIG. 99 shows how a video conference call initiated by the video operator in accordance with a preferred embodiment;

FIG. 100 shows the class hierarchy for video operator software system classes in accordance with a preferred embodiment;

FIG. 101 shows a state transition diagram illustrating the state changes that may occur in the VOCall object's m_state variable in accordance with a preferred embodiment;

FIG. 102 shows a state transition diagram illustrating the state changes that may occur in the VOConnection object's m_state variable ("state variable") in accordance with a preferred embodiment;

FIG. 103 shows a state transition diagram illustrating the state changes that may occur in the VOConference object's m_state variable ("state variable") in accordance with a preferred embodiment;

FIG. 104 shows a state transition diagram illustrating the state changes that may occur in the VORecorder object's m_state variable ("state variable") in accordance with a preferred embodiment;

FIG. 105 shows a state transition diagram illustrating the state changes that may occur in the VORecorder object's m_state variable ("state variable") in accordance with a preferred embodiment;

FIG. 106 shows the class hierarchy for the video operator graphics user interface ("GUI") classes in accordance with a preferred embodiment;

FIG. 107 shows a database schema for the video operator

Column 6, lines 1-58 of Eastep.

Again, this is merely a section of Eastep's *Brief Description* describing FIGS. 92-106 and has no particular relevance to the claims recitation against which it is cited. The Examiner additionally cites Column 11, lines 3-65, and Column 6, lines 9-61, of Eastep against that the claims recitation at issue. However, these are both portions of Eastep's *Table of Contents* and are neither substantive nor particularly pertinent to the pending claims. For example, neither

mentions "a feature object" nor "a compiled representation" as provided in Applicant's recitation.

Still further, claim 1, third paragraph recites "instantiating a context object that maintains information regarding a present state of the call feature or service, and that signals the feature object in regard to events occurring with respect to the call feature or service." The first half of the fourth paragraph of claim 24 recites "instantiating a context object in response to an event, the context object maintaining information regarding a present state of the call service, the context object signalling the feature object..." The Examiner contends that the following passage of Eastep teaches this:

Product/Enhancement
Interface Feature Requirements (Overview)
The User Account Profile
The Database of Messages
Automated Response Unit (ARU) Capabilities
User Interface
Message Management
Multiple Media Message Notification
Multiple Media Message Manipulation
Text to Speech
Email Forwarding to a Fax Machine
Pager Notification of Messages Received
Delivery Confirmation of Voicemail
Message Prioritization
Information Services
Message Storage Requirements
Profile Management
Call Routing Menu Change
Two-way Pager Configuration Control and Response to Park and Page
Personalized Greetings
List Management
Global Message Handling
Internet Telephony and Related Services
System Environment for Internet Media
Hardware
Object-Oriented Software Tools
Telephony Over The Internet
Introduction
IP Phone as a Commercial Service
Phone Numbers in the Internet
Other Internet Telephony Carriers
International Access
Internet Telephony Services
Call Processing
VNET Call Processing
Descriptions of Block Elements
Re-usable Call Flow Blocks
VNET PC connects to a corporate intranet and logs in to a directory service
VNET PC queries a directory service for a VNET translation
PC connects to an ITG
ITG connects to a PC
VNET PC to PC Call Flow Description
Determining best choice for Internet client selection of an Internet Telephony Gateway server on the Internet:
Vnet Call Processing
Telecommunication Network Management

Column 9, lines 9-61 of Eastep.

This passage is another portion of Eastep's *Table of Contents*, and does not have any particular relevane to the claimed invention. For example, there is no mention in this passage of "a context object" nor "a feature object" as recited in the claims.

Still further, claim 1, fourth paragraph, recites "the feature object responding to said signalling by effecting execution of one or more of the operations in the compiled representation of the textual description in the mark-up language." The second half of the fourth paragraph of claim 24 recites that the feature object is used "...to access the compiled representation and to effect execution of the call service defined by the logic instructions." The Examiner has cited Column 6, lines 1-58, shown above, with regard to this paragraph. As stated above, this portion of Eastep has no pertinence to the claimed invention, and makes no mention of "a feature object" or "a compiled representation" as recited in the claims.

The Examiner's rejection of claims 1 and 24 are founded on the mischaracterization of Eastep as detailed above. The Applicants are unaware that Eastep has any particular relevance – and certainly no relevance in the manner asserted by the Examiner.

Still further shortcomings of the passages of Eastep upon which the Examiner has relied are evident in the chart of **Exhibit A**, attached hereto. That chart shows, by way of example, paragraphs of claim 1 and excerpts of passages of Eastep cited by the Examiner against them. Even cursory inspect of the chart reveals the cited passages to have little substantive relevance to the claimed invention.

The additional references cited in combination with Eastep do not remedy the deficiencies of Eastep as noted above. Nor does the Examiner contend that these additional references teach those features. Thus, by way of example, neither Dodrill (U.S. Patent No. 6,490,564), Smith-Julius (U.S. Patent No. 6,772,139), Giordano (U.S. Patent No. 6,370,141) nor Bowman-Amuh (U.S. Publication No. 2003/0058277 of Bowman-Amuah) teach or suggest, individually or in combination

- "generating a compiled representation of a textual description in a mark-up language of operations for performing a call feature or service" (claim 1, first paragraph);

- "providing a textual description in a mark-up language of a set of logic instructions describing a call service" (claim 24; first paragraph);

- "instantiating a feature object embodying the compiled representation" (claim 1, second paragraph);

- "parsing the textual description to generate a compiled representation of the logic instructions" (claim 24, second paragraph);

- "instantiating a feature object embodying the compiled representation" (claim 24, third paragraph);

- "instantiating a context object that maintains information regarding a present state of the call feature or service, and that signals the feature object in regard to events occuring with respect to the call feature or service" (claim 1, third paragraph);

- "instantiating a context object in response to an event, the context object maintaining information regarding a present state of the call service, the context object signalling the feature object..." (claim 24, fourth paragraph);

- "the feature object responding to said signalling by effecting execution of one or more of the operations in the compiled representation of the textual description in the mark-up language" (claim 1, fourth paragraph);

- "...to access the compiled representation and to effect execution of the call service defined by the logic instructions" (claim 24, fourth paragraph)

For this reason, among others, the rejection of claims 1-11 and 24-28 is without merit and should be withdrawn

Claims 32-38 and 40 are patentable over the Prior Art

Claims 32, 37, 38, and 40

Claims 32, 37, 38, and 40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,490,564 of Dodrill in view U.S. Patent No. 6,731,625 of Eastep, U.S. Patent No. 6,772,139 of Smith-Julius, U.S. Patent No. 6,370,141 of Giordano, and U.S. Publication No. 2003/0058277 of Bowman-Amuah.

Claim 32 is directed to a telecommunications system, comprising a call control module that controls a call processing context associated with a subscriber. The system further includes a call feature module in communication with the call control module. The call feature module accesses a compiled representation of textual description in a mark-up language of logic defining a call service provided to a subscriber in response to an event to effect execution of the service. The call feature module instantiates a feature context object that accesses the compiled representation to determine at least an action to be effected for providing the call service.

The principal reference, Dodrill, fails to teach features of claim 32. For example, Dodrill does not teach a system in which an instantiated object (such as the feature context object recited in claim 32) can access a compiled representation to determine an action to be effected for providing a call service. This was agreed upon by the Examiner in an interview conducted on June 29, 2004, and summarized in a response filed by the Applicant on the same day. In that summary, the Applicant stated:

Interview Summary

Present during the aforementioned Telephone Interview were Examiner Patel, Allen Hertz (a representative of the Assignee), and the undersigned. The (telephonically) assembled parties discussed the Section 112 and Section 102/103 rejections lodged in the first Office Action. The Applicants also discussed distinctions between the claimed invention and the cited art. Following review of the role of the so-called feature objects, the Applicants stated they would supply an amendment reciting those objects in the independent claims.

The Amendments

The amendments provided above do just that — they recite the role of the feature objects in the independent claims. In addition to the patentable distinctions discussed in Applicants' prior Response, recitation of those feature objects provide further distinction over the cited art, e.g., for the reasons during the interview. The amendments are made without predjudice, the Applicants reserving the right to re-present cancelled subject matter at a later date.

The Examiner has conceded this point in the current Office Action on page 31, where he Examiner states "Dodrill does not specifically mention about instantiated object that accessing the compiled representation to determine at least an action to be effected for providing the call service." The Examiner then relies on Eastep to remedy this deficiency of Dodrill, citing the passages in columns 3, 6, 9, and 11 (shown above and in **Exhibit A**). As shown above, these passages are merely portions of Eastep's *Brief Description* and *Table of Contents*, and have no particular relevance to the claimed invention.

Further, none of the additional references remedy the deficiencies of Dodrill. For example, the Examiner contends that Bowman-Amuah teaches the concept of instantiating a feature context object. Although Bowman-Amuah does discuss the use of "objects," none of them access compiled representations as recited in claims. The Examiner admits this implicitly by not asserting as such in the Office Action. Therefore, Bowman-Amuah does not teach an object such as the one recited in claim 32.

Thus, claim 32 and claims 37, 38, and 40 which depend either directly or indirectly from claim 32, are patentable over the combined references.

Claims 33-36

Claims 33-36 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Dodrill, Eastep, Smith-Julius, Giordano, and Bowman-Amuah in view of U.S. Patent No. 6,226,286 of Danne.

Claims 33-36 depend from claim 32, and hence include all its features. Claim 32 is patentable over Dodrill, Eastep, Smith-Julius, Giordano, and Bowman-Amuah for the reasons discussed above. Further, Danne does not remedy the deficiencies of these references because Danne does not make use of instantiated objects to perform the services described therein, but rather, utilizes information in HTML format to allow for communication between a telecommunications network and a data network. Thus, claims 33-36 which depend from claim 32 distinguish patentably over the combined references.

Conclusion

In view of the above amendments and remarks, Applicant respectfully submits that the claimed invention is in condition for allowance. Applicant therefore kindly requests reconsideration and allowance of the pending application.

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Respectfully submitted,

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Attachments